

WEST ALLEGHENY SCHOOL DISTRICT

SECTION: **6605**

TITLE: **Behavior Support**

ADOPTED: November 2013

REVISED: **December 2019**

<p>1. Purpose</p>	<p>Students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with a disability shall develop a positive behavior support plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.</p>
<p>2. Authority</p>	<p>The Board directs that the district’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students’ opportunity for learning and self-fulfillment</p>
<p>3. Definitions</p>	<p>The following terms shall have these meanings, unless the context clearly indicates otherwise.</p> <p>Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.</p> <p>Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p> <p>Behavior Support Plan or Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student’s IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.</p> <p>Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.</p> <p>Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student’s body, excluding the following:</p> <ol style="list-style-type: none"> 1. Briefly holding a student, without force, to calm or comfort him/her.

<p>4. Delegation of Responsibility</p> <p>5. Guidelines</p>	<ol style="list-style-type: none"> 2. Guiding a student to an appropriate activity. 3. Holding a student’s hand to escort him/her safely from one area to another. 4. Hand-over-hand assistance with feeding or task completion. 5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student’s parents/guardians and specified in the IEP. 6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices. <p>Seclusion - confinement of a student in a room, with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.</p> <p>Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> <p>The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.</p> <p>The Superintendent or designee shall develop administrative regulations to implement this policy.</p> <p>The Superintendent or designee shall provide regular training, and retraining as needed, of staff in the use of specific procedures, methods and techniques, including restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students’ IEPs and Board policy.</p> <p>The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state’s cyclical compliance monitoring. Procedures shall be established requiring reports be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and vocational schools.</p> <p>Development of a separate Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student’s IEP.</p> <p>When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.</p> <p><u>Physical Restraints</u></p> <p>Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p>
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The Director of Special Education or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP only if:

1. The restraint is used with specific component elements of a positive Behavior Support Plan.
2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.
3. Staff are authorized to use the restraint and have received appropriate training.
4. Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.

Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.

Seclusion

The district permits involuntary seclusion of a student in accordance with the student's IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative.

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.

6. Suspensions constituting a pattern as defined in state regulations.
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Behavior Support Plan.

Subsequent to notification to law enforcement, an updated functional behavioral assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Director of Special Education or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Behavior Support Plan.

For a student with a disability who does not have a Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.

Relations With Law Enforcement

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.

The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.

6. Legal	22 PA Code 14.133 22 PA Code 14.145 20 U.S.C. 1414 34 CFR 300.114 34 CFR 300.324 20 U.S.C. 1415 34 CFR 300.530 34 CFR 300.34 22 PA Code 14.143 24 P.S. 1302.1-A 22 PA Code 10.2 22 PA Code 10.21 22 PA Code 10.22 22 PA Code 10.23 22 PA Code 10.25 22 PA Code 14.104 34 CFR 300.535 24 P.S. 1303-A 20 U.S.C. 1400 et seq 34 CFR Part 300 Pennsylvania Training and Technical Assistance Network (PaTTAN), Questions and Answers on the Restraint Reporting Requirements and System, June 2009
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~~6605 This policy is in compliance with Pennsylvania State Board of Education Chapter 14, Section 14.133. The issue of discipline (suspension and Expulsion) is NOT a specific part of this policy. PA State Board of Education Chapter 14, Section 14.143 specifically delineates suspension/expulsion procedures and policy.~~

~~Overview. All students have unique and individual ways of behaving. These behaviors are considered problems when they interfere with productive interpersonal relationships. No behavior in and of itself is a problem; similarly, no absolute standard exists for determining when a behavior becomes a problem; however, the behavior can become a problem when it interferes with productive learning processes. The extent to which any behavior is considered a problem depends to a large extent on the context in which it occurs.~~

~~All interventions used to alter a child's behavior will be predicated upon clear, direct, specific, concrete communications. The communication pattern is based upon an interaction between school, student, and family.~~

~~Any eligible student who exhibits behavior problems which interfere with the student's ability to learn or which interfere with other student's ability to learn, must have a program of behavior management positive behavior support plan. The positive behavior support plan will be included in the Individualized Education Program (IEP) and shall:~~

- ~~a. Include positive techniques for the development, change and maintenance of behaviors.~~
- ~~b. Use positive interventions that are the least intrusive.~~
- ~~c. Not substitute aversive techniques, restraints or discipline for the systematic application of behavior change techniques.~~
- ~~d. Only use techniques for which the staff has been adequately trained.~~

~~This Behavior Management Policy represents a three tier hierarchical model based upon the best practices cited in the current professional literature. This Policy also presents an array of models from which to choose depending upon staff training and type of behaviors, which require attention. The three levels of intervention are:~~

~~Level I - Good Classroom management strategies. If the student responds to Level I, the student does not require a Positive Behavior Support Plan attached to the IEP.~~

~~Level II - Specific interventions designed for individual students. Level II requires a Positive Behavior Support Plan attachment to the IEP.~~

~~Level III - Very restrictive interventions, which can only be considered after Level II interventions, are determined ineffective. Level III interventions require the IEP team to convene in order to discuss such interventions, except where the student presents a danger to himself/herself or to others.~~

~~Discipline procedures shall not be used as a substitute for behavior management programs positive behavior support plans.~~

~~The following aversive techniques of handling behavior are considered inappropriate and may not be used:~~

1. ~~Corporal punishment~~
2. ~~Punishment for a manifestation of a student's disability~~
3. ~~Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.~~
4. ~~Noxious substances~~
5. ~~Deprivation of basic human rights, such as withholding meals, water or fresh air~~
6. ~~Suspension constituting a pattern or a change in educational placement~~
7. ~~Treatment of a demeaning nature.~~
8. ~~Electric shock~~

~~The LEA has the responsibility for ensuring that positive behavior support plans are in accordance with Chapter 14 regulations, including training of personnel for the use of specific procedures, methods and techniques.~~

~~6605.1 Level I Models and Strategies Emphasized.~~

- a. ~~Proactive Classroom Management – Effective Teaching Practices, Frequent Monitoring, Clear Rules and Procedures, Social Praise.~~
- b. ~~Pro-social Behavior – Systematic Reinforcement, Modeling Pro-social Behavior, Verbal Instruction, Role-Playing.~~
- c. ~~Social Problem-Solving – Classroom Discussion of Real Life Dilemmas, Role-Playing, Student Participation in Decision-Making Activities, Alternative Thinking, Means-Ends Thinking, Self-Instruction Training.~~
- d. ~~Affective and Communication – Values Clarification Activities, Active Listening, Communication Skills Training.~~

~~6605.2 Level II. The twin goals of behavioral intervention are:~~

- a. ~~Increase appropriate or adaptive behavior.~~
- b. ~~Decrease inappropriate or maladaptive behavior.~~

~~Some students, despite the existence of a Level I classroom management plan, continue to exhibit behaviors that impede his/her learning or the learning of other students. These students require a more intensive, individualized positive behavior support plan, which targets that student's specific maladaptive behaviors.~~

~~The underlying assumption of any behavioral intervention is that students' behavioral problems represent either deficits in adaptive behavior, or excesses in behavior that prove maladaptive in the student's environment.~~

~~In order to develop an appropriate Positive Behavior Support Plan, a functional behavioral assessment must be completed to identify and define the specific behaviors that should be targeted. The information gathered and analyzed during the functional and behavioral assessment should be used to develop a plan that establishes routines and structure to prevent the identified behavior and establish procedures to handle the behavior problem if it occurs.~~

~~6605.3 Level II Models and Strategies Emphasized.~~

- ~~a. Behavior Modifications – Direct Instruction, Reinforcement Techniques, Verbal Prompts, Cueing, Redirection, Time-Out, Behavioral Contracting, Environmental Restructuring, Manipulative or Antecedents and Consequences.~~
- ~~b. Reality Training – Confrontational Questioning, Classroom Meetings, Social Problem-Solving, Behavioral Contracting, Logical Consequences, Time-Out.~~
- ~~c. Social Skills Training - Direct Instruction, Modeling and Rehearsal, Coaching, Self-Instruction.~~
- ~~d. Aggression Replacement Training – Social Skills Training Techniques, Self-Instruction – Anger Control Training.~~
- ~~e. Parent Management Training – Parent Training in Application of Behavioral Techniques.~~
- ~~f. Cognitive Training – Self-Monitoring, Self-Evaluation, Self-Reinforcement.~~
- ~~g. Family Involvement Training – Clear, Concise Communication.~~

~~6605.4 Level III.~~

~~Level III, which involves the use of physical or mechanical restraints to control behavior should only be used in emergency situations. Some children, despite the existence of a Level I classroom positive behavior support plan or a Level II individual behavior management plan may exhibit behavior that requires more restrictive intervention, such as physical or mechanical restraints. Restraints are devices and techniques designed and used to control acute or episodic aggressive behavior. Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees.~~

~~Procedures regarding the use of Level III restraints for aggressive behavior:~~

- ~~1. The use of restraints may not be included in the student's IEP or positive behavior support plan for the convenience of staff, as a substitute for an educational program, or employed as punishment.~~
- ~~2. Restraints may only be used after the less restrictive measures and techniques set forth in the student's Level II individual positive behavior support plan have been attempted but were unsuccessful or not effective. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors. Positive behavior support plans will include efforts to eliminate the use of the restraints.~~
- ~~3. The use of restraints to control aggressive behavior of an individual student shall cause a meeting of the IEP Team within ten (10) days of the use of the restraints, to review the current IEP and behavior management plan for appropriateness and effectiveness. The parent/guardian may choose to waive the right to an IEP meeting in writing.~~
- ~~4. If a child was physically or mechanically restrained, the child's special education teacher shall notify the Special Education Director as soon as possible, but no later than the end of the school day. Notification shall be in writing, or verbal with a written confirmation.~~
- ~~5. The district shall maintain and report data on the use of restraints as required. Procedures shall be established requiring reports be made to the district by entities educating students with~~

~~disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units, and vocational schools.~~

~~6. The district does not permit "prone" restraints.~~

~~7. Personnel who perform restraints will be trained in the use of the specific procedures, methods, and techniques.~~

~~Some student may require the use of mechanical restraints to control involuntary movement or lack of muscular control due to organic causes or conditions. In this case, mechanical restraints may be used only after a medical doctor qualified to make the determination has deemed the use of restraints to be medically necessary. The use of mechanical restraints to control involuntary movement or lack of muscular control due to organic causes or conditions must be specified in the student's IEP and must be agreed to by the parents. Mechanical restraints are used to prevent a student from injuring himself or others or to promote normative body positioning and physical functioning. Mechanical restraints governed by this policy include devices used for physical or occupational therapy, seat belts on wheelchairs or toilets used for balance and safety, safety harnesses in busses, and functional positioning devices.~~

~~6605.5 Emergency Procedures. Emergency procedures for behavior that presents a clear and present danger to the student or others may be delineated on the IEP. These emergency procedures may include such activities as:~~

~~a. Parent contact to remove immediately a student from school.~~

~~b. Notifying police.~~

~~c. Notifying the local mental health agency.~~

~~d. Calling emergency services and ambulance.~~

~~b. Physical restraint.~~

~~6605.6 Each building shall have a written administrative procedure to handle emergencies.~~

~~6605.7 Referral to Law Enforcement~~

~~The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Behavior Support Plan.~~

Legal Reference

Pennsylvania State Board of Education Chapter 14, Section 14.133 and the PDE Standards Chapter 14, Section 14.143.

Revised by the Board

~~March 19, 2003~~ **November 20, 2013**